

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

UNITED STATES OF AMERICA	:	
	:	
Plaintiff,	:	
v.	:	20 Cr. 015 (PKC)
	:	
VIRGIL GRIFFITH,	:	
	:	
Defendant.	:	

-----X

DECLARATION OF TJU LIANG CHUA [DRAFT]

I, TJU LIANG CHUA, affirm under penalties of perjury pursuant to 28 U.S.C. § 1746:

1. I am currently general counsel to the Ethereum Foundation, a non-profit organization dedicated to supporting the open-source Ethereum blockchain and related blockchain technologies. I have been general counsel to the Ethereum Foundation since approximately April 2018. I am based in Singapore.
2. As described in more detail below, at various times in August 2018 Virgil Griffith contacted me with questions regarding thoughts on potential outreach to the Democratic People's Republic of Korea ("DPRK"). Mr. Griffith consulted with me in his personal capacity, outside of the scope of his employment at the Ethereum Foundation, and not in my capacity as general counsel to the Ethereum Foundation. Rather, although I am not his personal attorney, given my legal background Mr. Griffith was consulting with me in my capacity as a lawyer and based upon his personal relationship with me.
3. On or about August 7, 2018, Virgil Griffith sent a message to me via WhatsApp, in which he stated that he had received an offer to set up an "Ethereum node" in DPRK. A copy of the relevant WhatsApp message exchange is attached as Exhibit A. Specifically, Mr. Griffith

asked me if I knew “anything about sanctions law?” I respond “yes, a bit,” and asked when Griffith could speak about the topic.

4. On or about August 7, 2018, Mr. Griffith forwarded an email exchange between him (Mr. Griffith) and another individual (“Individual-1”) discussing the possibility of setting up an “Ethereum node” in the DPRK. A copy of the email is attached as Exhibit B. In that email exchange, Mr. Griffith then responds, asking for suggestions on dealing with sanctions issues, and asks Individual-1 if she has a suggestion for a lawyer to address this issue. In the email to me, Mr. Griffith stated that he had been “exploring” putting an “Ethereum node” in the DPRK and further stated that he really wanted to do it,” but an Ethereum Foundation supervisor had said no, “unless the sanctions [could] be avoided.” Mr. Griffith further stated that he was “imagining shaping it as charitable work. I presume charities are allowed to give things to DPRK without issue.”

5. On or about August 8, 2018, I attempted to call Mr. Griffith via Whatsapp, which call went unanswered. Shortly thereafter, and on that same day, I sent Mr. Griffith an text message via WhatsApp saying: “Let’s talk when you can.” Mr. Griffith responded shortly after, stating: “I can chat now[.]” Later that same day, I spoke with Mr. Griffith by phone (through WhatsApp) to discuss Mr. Griffith’s Ethereum node proposal. I told him I did not think that he could participate in placing a node in the DPRK because of the U.S. sanctions on the DPRK. During that discussion, Mr. Griffith indicated that he was going to abandon the idea of putting an Ethereum node in the DPRK.

6. On August 13, 2018, I followed up in writing to Mr. Griffith’s August 8 email. A copy of my response is attached as Exhibit C. In that email, I informed Mr. Griffith that, as we

had discussed, I did not think it was permissible for him to facilitate putting a node in the DPRK because of Mr. Griffith's United States citizenship and the sanctions laws.

7. To my knowledge, after my August 13, 2018 email, no further efforts were taken by Mr. Griffith or any other person associated with the Ethereum Foundation to place a node in the DPRK.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct

Dated: New York, New York

August __, 2021

DRAFT

Tju Liang Chua